

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>ePLUS INC.,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Civil Action No. 3:09-CV-620 (REP)</b>
	)	
<b>v.</b>	)	
	)	
<b>LAWSON SOFTWARE, INC.,</b>	)	
	)	
	)	
<b>Defendant.</b>	)	

**PLAINTIFF ePLUS, INC.’S MOTION IN LIMINE NO. 8 TO PRECLUDE DEFENDANT  
LAWSON SOFTWARE, INC. FROM PROFFERING ANY EVIDENCE, EXPERT  
OPINION, OTHER TESTIMONY, OR ARGUMENT UTILIZING CLAIM  
CONSTRUCTIONS WHICH ARE INCONSISTENT WITH THE COURT’S *MARKMAN*  
CLAIM CONSTRUCTION ORDER**

Plaintiff *ePlus*, Inc. (“*ePlus*”), by counsel, respectfully moves the Court for entry of an Order precluding Defendant *Lawson Software, Inc.* (“*Lawson*”) from offering any evidence, expert opinion, other testimony, or argument that is inconsistent with the Court’s *Markman* Order dated April 30, 2010. The grounds for this motion are more fully set forth in the Brief in Support of this Motion, which is filed herewith. A proposed order is attached hereto.

Respectfully submitted,

June 18, 2010

/s/

Henry I. Willett, III (VSB #44655)  
Craig T. Merritt (VSB #20281)  
**CHRISTIAN & BARTON, LLP**  
909 East Main Street, Suite 1200  
Richmond, Virginia 23219-3095  
Telephone: (804) 697-4100  
Facsimile: (804) 697-4112  
hwillett@cblaw.com  
cmerritt@cblaw.com

Scott L. Robertson (*admitted pro hac vice*)  
Jennifer A. Albert (*admitted pro hac vice*)  
David M. Young (VSB #35997)  
**GOODWIN PROCTER LLP**  
901 New York Avenue, N.W.  
Washington, DC 20001  
Telephone: (202) 346-4000  
Facsimile: (202) 346-4444  
srobertson@goodwinprocter.com  
jalbert@goodwinprocter.com  
dyoung@goodwinprocter.com

Michael G. Strapp (*admitted pro hac vice*)  
James D. Clements (*admitted pro hac vice*)  
**GOODWIN PROCTER LLP**  
Exchange Place  
53 State Street  
Boston, MA 02109-2881  
Telephone: (617) 570-1000  
Facsimile: (617) 523-1231  
mstrapp@goodwinprocter.com  
jclements@goodwinprocter.com

Attorneys for Plaintiff, ePlus Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 18th day of June, 2010, a true copy of the foregoing will be filed electronically with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

Daniel McDonald, *pro hac vice*  
William D. Schultz, *pro hac vice*  
Rachel C. Hughey, *pro hac vice*  
Joshua P. Graham, *pro hac vice*  
Andrew Lagatta, *pro hac vice*  
MERCHANT & GOULD  
3200 IDS Center  
80 South Eighth Street  
Minneapolis, MN 55402  
Telephone: (612) 332-5300  
Facsimile: 612) 332-9081  
[lawsonservice@merchantgould.com](mailto:lawsonservice@merchantgould.com)  
***Counsel for Defendant Lawson Software, Inc.***

Robert A. Angle, VSB#37691  
Dabney J. Carr, IV, VSB #28679  
TROUTMAN SANDERS LLP  
P.O. Box 1122  
Richmond, Virginia 23218-1122  
(804) 697-1238  
(804) 698-5119 (Fax)  
[robert.angle@troutmansanders.com](mailto:robert.angle@troutmansanders.com)  
[dabney.carr@troutmansanders.com](mailto:dabney.carr@troutmansanders.com)

***Counsel for Defendant Lawson Software, Inc.***

/s/  
Henry I. Willett, III (VSB #44655)  
Counsel for Plaintiff ePlus, Inc.  
**CHRISTIAN & BARTON, LLP**  
909 East Main Street, Suite 1200  
Richmond, Virginia 23219-3095  
Telephone: (804) 697-4100  
Facsimile: (804) 697-4112  
[hwillett@cblaw.com](mailto:hwillett@cblaw.com)